

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

UNITED STATES OF AMERICA

v.

LEONEL CRUZ-BARCENA

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2:03-CR-0044 (01)

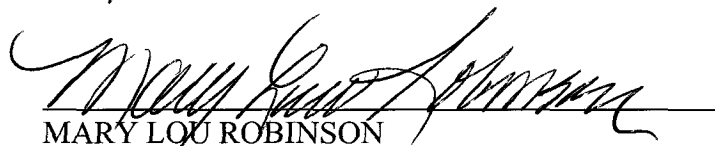
**ORDER ADOPTING REPORT AND RECOMMENDATION and
DENYING MOTION TO VACATE, SET ASIDE OR CORRECT SENTENCE**

Defendant has filed a motion to vacate, set aside or correct sentence by a person in federal custody. A Report and Recommendation was issued by the United States Magistrate Judge and filed on July 21, 2005. No objections to the Report and Recommendation have been filed of record as of this date.

The United States District Judge has made an independent examination of the record in this case and has examined the Report and Recommendation of the Magistrate Judge. The District Judge is of the opinion the Magistrate Judge's Report and Recommendation should be, and hereby is, ADOPTED. It is the further ORDER of the Court that this motion to vacate, set aside or correct sentence is, in all things, DENIED.

IT IS SO ORDERED.

ENTERED this 10th day of August 2005.


MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE